

# EXHIBIT 2

## (Sought to be filed Under Seal)

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**From:** Tezyan, Michael  
**Sent:** Wednesday, September 13, 2023 12:46 PM  
**To:** Rueckheim, Mike; Winston-Micron-Netlist; andrea@wsfirm.com; ce@wsfirm.com; wh@wsfirm.com; Amanda Abraham  
**Cc:** ~Baxter, Samuel; jtruelove@mckoolsmith.com; #Netlist-Micron [Int]  
**Subject:** RE: Netlist v. Micron, No. 22-cv-203 (E.D. Tex.) - TI Depo

Mike,

Netlist has been diligently pursuing discovery from TI since Netlist served TI the deposition subpoena. For the past several months, Netlist has been diligently analyzing TI's document production and source code. In parallel, Netlist was working cooperatively with TI to narrow the scope of the deposition to ease the burden on TI. After several rounds of discussion, TI agreed last Friday (9/8) to provide a witness. However, TI represented that the witness would not be available until October 25-27 due to a time-sensitive matter.

Feel free to reach out to TI's counsel Amanda Abraham (copied) to confirm.

Best,  
Michael

**Michael Tezyan**

Associate

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**From:** Rueckheim, Mike <MRueckheim@winston.com>  
**Sent:** Wednesday, September 13, 2023 12:27 PM  
**To:** Tezyan, Michael <mtezyan@irell.com>; Winston-Micron-Netlist <Winston-Micron-Netlist@winston.com>; andrea@wsfirm.com; ce@wsfirm.com; wh@wsfirm.com  
**Cc:** ~Baxter, Samuel <sbaxter@mckoolsmith.com>; jtruelove@mckoolsmith.com; #Netlist-Micron [Int] <Netlist-Micron@irell.com>  
**Subject:** RE: Netlist v. Micron, No. 22-cv-203 (E.D. Tex.) - TI Depo

What is the reason for seeking this deposition out of time? I.E., why couldn't Netlist take this deposition earlier or move to compel the deposition earlier?

**Michael R. Rueckheim**

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& STRAWN**  
LLP

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**From:** Tezyan, Michael <[mtezyan@irell.com](mailto:mtezyan@irell.com)>  
**Sent:** Wednesday, September 13, 2023 11:34 AM  
**To:** Winston-Micron-Netlist <[Winston-Micron-Netlist@winston.com](mailto:Winston-Micron-Netlist@winston.com)>; [andrea@wsfirm.com](mailto:andrea@wsfirm.com); [ce@wsfirm.com](mailto:ce@wsfirm.com); [wh@wsfirm.com](mailto:wh@wsfirm.com)  
**Cc:** ~Baxter, Samuel <[sbaxter@mckoolsmith.com](mailto:sbaxter@mckoolsmith.com)>; [jtruelove@mckoolsmith.com](mailto:jtruelove@mckoolsmith.com); #Netlist-Micron [Int] <[Netlist-Micron@irell.com](mailto:Netlist-Micron@irell.com)>  
**Subject:** Netlist v. Micron, No. 22-cv-203 (E.D. Tex.) - TI Depo

Counsel,

Third-party TI has offered a witness for deposition between October 25-27 from 9 am to 12 am, which is the earliest availability of the witness. We intend to move to take this deposition out of time, and once the deposition occurs, to seek leave to supplement Netlist's opening report on the '918/'054 patents to add the TI witness's testimony.

Please let us know by Friday (9/15):

1. if Micron would oppose Netlist's motion to take the deposition of the TI witness out of time;
2. if any of the dates TI has offered are acceptable to Micron;
3. if Micron would oppose Netlist's motion to seek leave to supplement the opening report on the '918/'054 patents.

Thanks,  
Michael

**Michael Tezyan**

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